

NOTICE OF CORRECTION

From: Clerk's Office

Case Style: Smith v. Grossman

Case Number: 3:07-cv-00248-WHA

Referenced Pleading: Exhibit A attachment to Answer & Counterclaim - Doc. 35

This Notice of Correction was filed in the referenced case this date to correct the PDF documents attached to this notice. Please see the correct PDF documents to this notice.

FREEDOM COURT REPORTING

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1 well; you know -- I said why don't you get
 2 some new tires. And Kim said oh, I just
 3 can't afford to buy any right now. And
 4 Deborah said well, I'll -- call Kenny
 5 Knotts and tell him to put some tires on
 6 your car and I'll pay for it. And Kim was
 7 like no, she said they were -- Deborah, I
 8 think, is the one who called Kenny Knotts'
 9 Tire Service because he came and picked up
 10 Kim's truck at the office, put tires on it,
 11 and sent a bill to Deborah for the tires.
 12 Q Okay. All right. Now, are you
 13 familiar with somebody named Mr. Marmaduke?
 14 A Yes.
 15 Q Were there cash payments that were
 16 made to Mr. Marmaduke?
 17 A I know he got money for referring
 18 clients to us. I never took him any money
 19 personally.
 20 Q But you know that the money was sent
 21 out of the office to him?
 22 A Yes.
 23 Q And that was for cases that he sent

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1 to the office?
 2 MR. CLARK: I object to any further
 3 testimony along this line.
 4 THE COURT: Sustained.
 5 Q (By Mr. Veigas) Was Mr. Marmaduke an
 6 employee there or a member of the firm?
 7 A No.
 8 Q Do you know why his phone number was
 9 listed in the firm advertising?
 10 A I don't know.
 11 Q But you know that it was listed in
 12 the firm advertising?
 13 A I had seen the advertisement and saw
 14 a 1(800) number, and I never thought
 15 anything about it until one day when we
 16 were talking about taking -- it was time to
 17 -- for new phone books to go out and we
 18 were going to put new ads in. I said what
 19 is this 1(800) number. And Deborah said
 20 that's Cory's number.
 21 MR. VEIGAS: Fine. That's all I
 22 have, Judge.
 23 THE COURT: Cross-examination.

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1 CROSS-EXAMINATION BY MR. CLARK:
 2 Q So, you have recollection of a -- of
 3 an incident where Ms. Smith told
 4 Ms. Grossman that she needed some new tires
 5 and Ms. Grossman paid for them for her?
 6 A Kim just said that her tires were
 7 bad and Deborah offered to buy her -- put
 8 new tires on her truck.
 9 Q Okay. You are friends with
 10 Ms. Smith, are you not?
 11 A Yes.
 12 Q Close friends?
 13 A We're good friends.
 14 MR. CLARK: Okay. Thank you very
 15 much for coming. I don't have anything
 16 further.
 17 THE COURT: Anything further?
 18 DIRECT EXAMINATION BY MR. VEIGAS:
 19 Q Would you lie for Ms. Smith?
 20 A No.
 21 MR. VEIGAS: That's all I have,
 22
 23 Judge.

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1 THE COURT: You can step down. Go
 2 back outside. Please don't discuss your
 3 testimony with anyone else.
 4 Call your next witness.
 5 MR. VEIGAS: Just one moment.
 6 Judge.
 7 THE COURT: That's fine.
 8 MR. VEIGAS: Judge, that's all we
 9 have at this time.
 10 THE COURT: Anything further,
 11 Mr. Clark?
 12 MR. CLARK: No rebuttal, Your Honor.
 13 THE COURT: All right. Based upon
 14 the evidence produced at this hearing, I
 15 find there is probable cause to believe
 16 that this act was committed by this
 17 defendant. And this case is bound over to
 18 the Grand Jury for further consideration.
 19 This hearing is adjourned.
 20
 21 (Whereupon, the hearing was adjourned at
 22
 23 11:30 a.m.)

25 (Pages 97 to 100)

367 VALLEY AVENUE
 (205) 397-2397 BIRMINGHAM, ALABAMA 1-877-37

EXHIBIT

A

tabbles

FREEDOM COURT REPORTING

<p style="text-align: right;">Page 101</p> <p>1</p> <p>2</p>	
<p style="text-align: right;">Page 102</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 State of Alabama</p> <p>4 Jefferson County</p> <p>5</p> <p>6 I hereby certify that the above and</p> <p>7 foregoing hearing was taken down by me in</p> <p>8 stenotype and the questions and answers</p> <p>9 thereto were transcribed by means of</p> <p>10 computer-aided transcription, and that the</p> <p>11 foregoing represents a true and correct</p> <p>12 transcript of the testimony given by said</p> <p>13 witness upon said hearing.</p> <p>14 I further certify that I am neither of</p> <p>15 counsel, nor of kin to the parties to the</p> <p>16 action, nor am I in anyway interested in</p> <p>17 the result of said cause.</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Racheal Lynn Isbell, CSR</p>	

26 (Pages 101 to 102)

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(205) 397-2397 BIRMINGHAM, ALABAMA 1-877-373-3660